IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION NO : 23844 of 2000**

Between:

K. Sarat Chandra Simha, s/o. Dr. K.R.Gopala Simha,

H.No.16-10-234/4/B, Old Malakpet, Hyderabad-36.

**..... PETITIONER**

AND

1. Jawaharlal Nehru Technological University,

Hyderabad, rep.by its Registrar.

2. Andhra Pradesh State Council of Higher Education,

Hyderabad, rep.by its Secretary.

3. J.B.Institute of engineering & Technology, Yenkapally,

Moinabad Mandal Road, R.R.District, rep.by its Principal.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not allowing the petitioner to appear for I/IV B.E. (Mech.) Examination and further asking him to rejoin I/IV B.E. in the academic year 2000-2001 as illegal, arbitrary and unconstitutional and consequently direct the respondents to permit the petitioner to attend II/IV B.E. classes and also permit him to appear for I/IV B.E. supplementary examination including practical and sessional/internal to be conducted.

**Counsel for the Petitioner : MR.V.BRAHMAIAH CHOWDARY**

**Counsel for the Respondent No.1 : M/s C.KODANDA RAM, SC**

**Counsel for Respondent No.2 : Sri K.Ramesh Babu.**

**Counsel for Respondent No.3 : None appeared.**

**The Court made the following :**

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**ORDER :**

The petitioner was a student of B.E. (Mechanical) in the third respondent College. He was detained after three year's course and was not permitted to prosecute the I Semester of IV year course on the ground that due to delay in ratification of his admission by the Andhra Pradesh State Council of Higher Education. The petitioner could not complete his course presumably because by the time he joined the course, the I Year course was almost in the end. Be that as it is, this Court while admitting the writ petition, on 11-12-2000 granted interim direction to allow the petitioner to attend the II Year classes. The respondent-University filed an application for vacating the said interim order along with the counter after a lapse of long time. Therefore, in all probability, the petitioner completed the course and this Court is not inclined to deny the petitioner the same benefit.

In the facts and circumstances of the case, if the petitioner has not already completed the course, he shall be allowed to sit for the examination in the usual course, subject to the petitioner fulfilling the rules and regulations.

The writ petition, with the above observations and directions, is disposed of. No costs.

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(V.V.S.RAO, J.)

Dt.27-08-2004.

Msr.

To

1. Jawaharlal Nehru Technological University,

Hyderabad, rep.by its Registrar.

2. Andhra Pradesh State Council of Higher Education,

Hyderabad, rep.by its Secretary.

3. J.B.Institute of engineering & Technology, Yenkapally,

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**HON'BLE SRI JUSTICE V.V.S. RAO**

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**Dt.27-08-2004.**

**(Msr)**